

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

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—damages
for land
taken, how
determined.

May acquire
property
of other
railroads.

—may hold
bonds of
similar
corporations.

Notice of
first meeting,
how given.

way, and all damages for land and other property so taken shall be determined and paid in the manner and under proceedings as provided in case of lands taken for steam railroads.

Section 6. Said company is hereby authorized and empowered to acquire by purchase or lease the property, rights and franchises of other railroads or street railway corporations, and hold the same for the purpose of conducting the business of such corporations, and may issue stock and bonds in payment therefor in addition to that hereinbefore authorized in sections two and three of this act, and also may purchase and hold the bonds and capital stock of other similar corporations and issue its stock and bonds in payment therefor. Said company is also authorized and empowered to sell, lease or otherwise dispose of its property, rights and franchises to other railway corporations.

Section 7. The first meeting of the company shall be held in Bangor, Maine, and may be called by one of the persons named as incorporators, by written notice mailed to each of the other incorporators at least seven days before the time appointed for such meeting.

Section 8. This act shall take effect when approved.

Approved March 15, 1905.

Chapter 186.

An Act to authorize the erection of dams, side dams, piers and booms in Higgins Stream and Grant Brook in the plantation of Brighton and town of Wellington, and in Buzzell Brook in the towns of Wellington and Harmony, and to make improvements in said streams.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Certain
persons
authorized to
maintain a
dam in
Higgins
stream.

Section 1. Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, are hereby authorized and empowered to locate, erect and maintain in Higgins stream, so called, in Wellington on lot number one hundred and seven in said Wellington, a dam with which to raise a head of water to facilitate the driving of logs, pulp wood and other lumber, down said stream; and to build side dams, piers, rock booms, remove rocks and make other improvements on said Higgins stream, for the driving of logs, pulp wood and other lumber as aforesaid down said stream to Moose pond in the town of Harmony.

—to build
side dams,
piers, rock
booms, etc.

Authorized to
maintain dam

Section 2. Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence,

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Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, are also hereby authorized and empowered to locate, erect and maintain, in Grant brook, so called, at the outlet of Scribner bog in the plantation of Brighton, a dam with which to raise a head of water to facilitate the driving of logs, pulp wood and other lumber, down said brook to where it empties into Higgins stream; and to build dams, side dams, piers, rock booms, remove rocks and make other improvements on said Grant brook, for the driving of logs, pulp wood and other lumber as aforesaid down said Grant brook to where it empties into Higgins stream.

in Grant
brook.

—to build side
dams, etc.

Section 3. Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, are also hereby authorized and empowered to locate, erect and maintain, in Buzzell brook in the towns of Wellington and Harmony, which empties into Higgins stream in the town of Harmony, a dam with which to raise a head of water to facilitate the driving of logs, pulp wood and other lumber, down said brook to where it empties into Higgins stream; and to build dams, side dams, piers, rock booms, remove rocks and make other improvements on said Buzzell brook, for the driving of logs, pulp wood and other lumber as aforesaid down said Buzzell brook to where it empties into Higgins stream.

Authorized to
maintain dam
in Buzzell
brook.

—to build side
dams, etc.

Section 4. Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, are also authorized and empowered to take such land and materials as may be necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water, to attach their booms and piers to land adjacent to said streams, and may, with their agents, servants and teams, pass and repass over and along said shores and to and from the same over the land of other persons for the purpose aforesaid and for managing said dams, piers and booms; and if the parties cannot agree upon the damages, the said Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, shall pay the proprietors for the land and materials so taken; such damages shall be ascertained and determined by the county commissioners of the county where the land and materials so taken lie, in the same manner and under the same conditions and limitations as provided by law in the case of damage by laying out of highways;

Authorized to
take land and
materials.

—may pass
and repass
along shores.

—damages,
how
ascertained.

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and for the damage occasioned by flowing said land said Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

Tolls for logs established.

Section 5. Said Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, may demand and receive a toll for the passage of logs, pulp wood and other lumber as follows: for logs delivered at or near Carle's mills in the town of Wellington, sixty-five cents per thousand feet for saw and pulp logs; for logs delivered at or near Batchelder and Caldwell's mills in the town of Harmony, seventy-five cents per thousand feet for saw and pulp logs; for all logs delivered at or near Harmony village in the town of Harmony or at the nearest point to the railroad in said town of Harmony, one dollar per thousand feet for saw and pulp logs, and fifty cents per cord for pulp wood, for all logs and pulp wood that pass over their said dam, the logs and other lumber to be at the same scale as that adopted by the Kennebec River Log Driving Company; provided, however, that such tolls shall not apply to any logs cut in the town of Harmony, and they shall have lien of all logs, pulp wood and other lumber that may pass over said dams and improvements for the payment of said tolls, but the logs and each particular mark shall be holden for the tolls of such mark, and unless such toll is paid within thirty days after said logs or pulp wood, or the major part of them, shall have arrived at their point of destination, said Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, shall have a lien on said lumber and wood for said toll, to be enforced by an attachment and suit to be begun within ninety days after the same shall have arrived at its place of destination.

—such tolls shall not apply to logs cut in town of Harmony.

—lien on logs.

—lien on lumber and wood.

Provisions for reduction of tolls.

Section 6. When said Joseph E. Lawrence, George Nottage, E. Leroy Batchelder, Harry W. Davis, Manley Morgan, M. E. Lawrence, Edwin A. Caldwell and Horace D. Caldwell, their associates, successors and assigns, have received from tolls their outlay in dams, improvements and repairs made up to that time and six per cent interest thereon, then the toll shall be reduced

to a sum sufficient to keep the works in repair. The chairman of the county commissioners of Piscataquis county for the time being is appointed to audit the accounts and determine the costs of said dams, improvements and repairs.

Section 7. This act shall take effect when approved.

Approved March 15, 1905.

Chapter 187.

An Act to authorize the maintenance of piers and booms in Baskahegan Stream at Danforth.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. Henry H. Putnam, of Danforth, in the county of Washington, his successors and assigns, are hereby authorized and empowered to erect and maintain in the Baskahegan stream, in said town of Danforth, piers and booms for the purpose of collecting and holding logs and other lumber in said Baskahegan stream. Said piers and booms shall be located as follows:

Piers and booms authorized in Baskahegan stream.

A boom at Birch Point, so called, or between said Birch Point and the mill dam in said stream, as said Putnam shall determine, and holding booms upon the easterly side of said stream, extending from the island at the mouth of Crooked brook, so called, to a point at or near the sluice in said dam; and from a point opposite the steam mill, in said Danforth, on the westerly side of said stream and down said westerly side to a point at or near said sluice.

—location of piers and booms.

Said piers and booms shall be so located, constructed, maintained and used that logs and other lumber running down said stream, belonging to other parties and not destined for use and manufacture at the mills of said Putnam, his successors and assigns, shall not be unreasonably impeded or delayed.

—piers and booms shall not be constructed so as to impede passage of lumber running down river.

Section 2. Said Putnam, his successors and assigns, by aid of such piers and booms is hereby authorized and empowered to hold within the piers and booms mentioned in this act, and located, erected and maintained as aforesaid, all logs and other lumber coming down said Baskahegan stream, which are destined and intended for use and manufacture at the mills of said Putnam.

May hold logs destined for use at mills of said Putnam.

Section 3. This act shall take effect when approved.

Approved March 15, 1905.